

REMARKS

Re-examination of the above mentioned application is hereby requested in view of the arguments which follow. Applicants appreciate the Examiner's thorough consideration of the above-identified application, and in the Examiner's recognition of allowable subject matter.

Claim Rejections Under §112

The Official Action states that claims 1, 10, and 17 are rejected for failing to comply with the written description requirement. More specifically, the Official Action states that "'an elongate seamless shielded tube' is not described in the specification." Applicant respectfully points to paragraphs 5, 8, 10, 27, 28, 30, 31, and 33 which, while not limiting the claims, all provide support for the term "elongate seamless shielded tube."

Claim Rejections Under §103

The Official Action states that claims 1-3, 5-7, 10-11, 17-18, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kosmala (5,645, 454) in view of Regnier (6,575, 761). More specifically, the Official Action states that Kosmala discloses a shielded jack assembly comprising:

- An insulator member (14) having pin receiving passageway, a rear slot intersecting the passageway at least to an outer surface of the insulator;
- A pin (12) having an elongate portion (20) and an orthogonally arranged PCB tine (22) which extends in the rear slot, the pin having a mating portion extending into the recess portion, where the pin is exposed;
- A shielded tube (36) extending at least partially along a length of the insulator member; and
- A metallic shell (38) having an outer body (44) conforming to an exterior contour of the shielded tube, sidewall portions (52) and a rear plate portion (56) hingedly connected to the outer body and folded downwardly to enclose an end opening.

The Official Action continues to state that Kosmala fails to teach a seamless shielded tube and a stamped metallic ground shell. The Official Action then states that Regnier shows a seamless shielded tube and a stamped metallic ground shell and that it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify

Kosmala to have the conductive shield and the rear shield, as taught by Regnier for better connection.

Applicants respectfully reject this interpretation, and submit that the proposed combination fails to arrive at the claimed invention and that the Official Action fails to provide a proper motivation to combine the references.

The Official Action cited conductive shield 14 of Regnier as a seamless shielded tube and cited rear shield 38 as a stamped metallic ground shell. As required by claim 1, the ground shell must have an outer body portion conforming to an exterior contour of the shielded tube. As shown in Fig. 7 of Regnier, conductive shield 14 extends over dielectric sheath 26 of rear shield 38 and abuts rear shield 38. Accordingly, the cited ground shell fails to have an outer body portion conforming to an exterior contour of the cited shielded tube. Therefore, modifying Kosmala "to have the conductive shield and the rear shield, as taught by Regnier" results in a ground shell that fails to have an outer body portion conforming to an exterior contour of the shielded tube. Thus, the combination fails to teach each and every limitation of claim 1.

Claim 10 requires that the ground shell have "an outer body portion conforming to, and crimped to, an exterior contour of said shielded tube." Therefore, in addition to the reasons discussed above with respect to claim 1, the proposed combination fails to teach crimping of the outer body portion to the ground shell as required by claim 10.

Additionally, the Official Action states that "it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Kosmala to have the conductive shield and the rear shield, as taught by Regnier for better connection." The references fail to teach that connection of Regnier is in any way superior to the connection of Kosmala. "We have noted that evidence of a suggestion, teaching, or motivation to combine may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved... The range of sources available, however, does not diminish the requirement for actual evidence. That is, the showing must be clear and particular. Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence.'" *In re Dembiczak*, 175 F.3d 994, 999

(Fed. Cir. 1999). Accordingly, Applicant respectfully states that the Official Action has failed to provide a proper motivation to combine and has failed to make a proper rejection. Accordingly, claims 1, 10, and 17 are believed to be in condition for allowance. Such allowance is respectfully requested.

Claims 2-3, 5-7, 11, 18, and 20 all depend from one of claims 1, 10, or 17. In that claims 1, 10, and 17 are all believed to be allowable, claims 2-3, 5-7, 11, 18, and 20 are also believed to be in condition for allowance. Such allowance is respectfully requested.

Additionally, claim 5 requires "an outer shroud portion surrounding said shielded tube, forming an outer shielding." The Official Action cites ring-like shoulders 44 as an outer shroud surrounding the shielded tube. Conductive shield 14 was previously cited as the shielded tube. As shown in Fig. 7, cited by the Official Action, shoulder 44 does not surround conductive shield 14. Claims 10 and 18 contain similar limitations not taught by the proposed combination. Accordingly, claims 5, 10, and 18 are believed to be independently allowable.

Claim 6 requires that "said outer shroud portion is stamped and formed to define a longitudinal overlapping seam." Again, the Official Action cites ring-like shoulders 44 as an outer shroud. While Regnier states that rear shield is axially split at 40, Regnier fails to teach what type of seam is present. Claim 13 contains a similar limitation. Accordingly, claims 6 and 13 are believed to be independently allowable.

Claim 7 requires that the "shroud [includes] a rear wall having a like plurality of openings therethrough for receiving said plurality of assembled insulator members, pins, shielded tubes, and ground shells." Again, the Official Action cites ring-like shoulders 44 as an outer shroud. Shoulders 44 fail to teach having a plurality of openings "for receiving said plurality of assembled insulator members, pins, shielded tubes, and ground shells." Claims 14 and 20 contain similar limitations. Accordingly, claims 7, 14, and 20 are believed to be independently allowable.

Objected to Claims

Claims 4, 8-9, 12-16, and 19 were objected to for being dependent upon a rejected base claim. Claims 4, 12, and 19 have been amended such that they are each an independent claim.

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However, Applicant specifically notes that in each case, **the limitations of an intervening claim were specifically omitted**. Each of claims 4, 12, and 19 are believed to be in condition for allowance. Additionally, claims 8-9 and 13-16 depend from allowable independent claims. Allowance of claims 4, 8-9, 12-16, and 19 is respectfully requested.

Applicants enclose a PTO Form SB08 to cite U.S. Patent No. 5,334,050 to Andrews, which was discussed with the Examiner in a telephonic interview on February 8, 2006. It is believed that no fee is due. Applicants request that this reference specifically be made of record.

CONCLUSION

Applicants believe that the application, as presently presented, is now in condition for allowance and action toward that end is respectfully requested. If any issues remain that can be resolved by telephone, the Examiner is invited to call the undersigned attorney.

In the event that Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any charges be made to Deposit Account No. 02-0390, BAKER & DANIELS.

Respectfully submitted,



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CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

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